

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

United States of America,

Plaintiff,

- versus -

Juanita Kennebrew,

Defendant.

ORDER

11-cv-1022

JOHN GLEESON, United States District Judge:

On March 27, 2013 I issued an Order to Show Cause why this case should not be dismissed for want of prosecution due to inactivity by the Government since April 2011. On March 28, 2013 the Government filed a letter application for a pre-motion conference for a motion for summary judgment. On April 8, 2013 the parties appeared before me.

During the conference, I indicated my inclination to appoint Kennebrew a lawyer to “help her get to the bottom of whether there is one loan or two, or whether there is any legal defense and help negotiate a disposition.” The following colloquy also occurred:

THE COURT: . . . I'm going to hold the case in abeyance. What happened? Why did it lie dormant for so long?

MS. IANNARONE: Because of the defendant's age.

THE COURT: Really? That doesn't make any sense.

MS. IANNARONE: I know.

In light of this representation, on April 15, 2013, I issued another Order to Show Cause why the case should not be dismissed for want of prosecution. On April 16, 2013 the Government filed a response indicating that Kennebrew may “submit an application to discharge the loan based on disability, financial hardship or bankruptcy.” It further requested that I appoint counsel to Kennebrew

“with the belief that an amicable solution to this action is possible if she is represented by counsel who can guide her through this process.”

Accordingly, the Court shall seek pro bono counsel for plaintiff pursuant to 28 U.S.C. § 1915(e)(1). Kennebrew is advised that the Court cannot require an attorney to take a civil case without a fee. Rather, the Court will request that an attorney volunteer to provide representation to Kennebrew. Kennebrew should cooperate with any pro bono panel attorney who contacts her.

SO ORDERED.

JOHN GLEESON
United States District Judge

Dated: April 16, 2013
Brooklyn, New York